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May 15, 2020

Hon. Philip M. Halpern
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

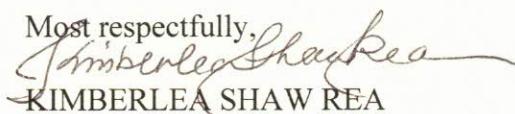
Re: *United States v. Mark Ford, et al.* 7:19 Civ 09600 (PMH)(JCM)

Dear Judge Halpern:

We represent Defendants in the above-referenced case. Pursuant to Your Honor's instructions given during our pre-motion conference on May 12, 2020, this letter confirms that my clients will maintain their inability-to-pay claim, first asserted in 2018. Their financial position, which was bleak then, has steadily deteriorated and is now at the point of devastation. They have had no income since Standard Bred horseracing ceased at Yonkers Raceway, the Meadowlands, Pocono Downs and other racetracks due to the outbreak of the COVID-19 Virus.

Further pursuant to Your Honor's instructions, I will timely provide Magistrate Judge McCarthy with copies of the inability-to-pay documentation we submitted to the Government on July 27, 2018, and the supplemental documentation we provided on September 17, 2018 in response to the Government's request. I have already asked my clients' accounting firm to update that information, to fully reflect current conditions since 2018.

Thank you for the Court's consideration.

Most respectfully,

KIMBERLEA SHAW REA

Cc: Tomoko Onozawa, Esq.

Zachary Bannon, Esq.

Brian Kelsey, Esq.